

REMARKS

Careful consideration has been given by the applicant to the Examiner's comments and rejection of the application as set forth in the outstanding Office Action, and favorable reconsideration thereof and allowance of the claims, as amended, is earnestly solicited.

Applicant notes the Examiner's objections to the specification, concerning which applicant has now incorporated the required section headings, thereby meeting all of the formal requirements concerning the disclosure.

Applicant further notes the Examiner's objections to the claims in that Claims 6-8 are directed to impermissible multiple dependencies in contravention of the requirements of 37 C.F. R. §1.75(c). Accordingly, appropriate amendatory action has been taken to obviate this particular formality.

Similarly, applicant notes the Examiner's rejection of Claims 1-5 under 35 U.S.C. §112, second paragraph, inasmuch as the terminology in the claims is open to interpretation as to multiple embodiments due to the indefinite terminology allegedly employed.

Furthermore, applicant notes the Examiner's rejection of Claims 1, 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over Gatzmanga in view of Keys, et al. and Lee, et al., as detailed in the Office Action; and the rejection of Claim 5 as being unpatentable over the art previously applied to Claims 1-4 further in view of Bright.

Accordingly, in order to clearly and unambiguously distinguish over the art, irrespective as to whether the latter is considered singly or in combination, applicant has cancelled Claims 1-8 without prejudice or disclaimer, and in lieu thereof herewith presents new claims 9-19, which define the inventive concept in clear and precise terminology, and wherein the claims have also been drafted in conformance with the U.S. claim drafting practice.

Concerning the claims, applicant notes that the invention is directed to the provision of a seal structure, which is adapted for the surround or the edge frames of windows or other openings in vehicles, and wherein the seal incorporates features providing clear advantages over the state of the technology, not at all contemplated in any of the references of record.

In particular, the present seal construction includes a first section, which is adapted to grippingly engage the bodywork of the vehicle, as is well known in the art, and also includes a second portion in the form of preferably a tubular seal member, which includes a through aperture communicating the interior with the exterior when subjected to compressive forces upon the closing of a leaf or door structure of the vehicle. This particular aspect is essentially known in the prior art.

However, in order to further reduce noises and provide an enhanced sealing characteristics, especially during high rates of speed in the travel of the vehicle, whereby the door or the leaf structure tends to move away from the vehicle body, the present invention provides for a third section piece in the form of a tubular member, which is entirely located within the second section piece contacting the leaf. In particular, this third sealed tubular

member ordinarily is located entirely within the second section piece so as not to contact the interior wall surface of the second section piece during low speeds or stationary modes of operation of the vehicle. The third section piece is a sealed tubular member, which is connected to a source of a pressurizable fluid, such as either air or a liquid, for example, water, which may include glycol. As the vehicle increases in travel speed, the source of the pressure will pressurize the interior of the third section member or the closed tubular portion, which is located entirely within the second section member and expand the third section member so as to contact the interior wall surface of the second section member thereby enhancing the pressure exerted against the leaf and providing for an improved seal structure, which also reduces any noise in the interior of the vehicle. None of the references of record even remotely disclose this particular type of structure or operative function thereof.

Reverting to Gatzmanga, U.S. Patent No. 5,866,232, this merely provides for the second tubular section to have two portions, an inner portion 30 and an outer portion 32. there is no disclosure of an entirely separate and internally arranged third tubular member, which is pressurizable by a fluid or liquid to be contained within the interior of the component 12 in Gatzmanga, and whereby pressure is increased as the vehicle increases in traveling speed. Consequently, Gatzmanga does not disclose the following aspects and has nothing in common with the present inventive construction or function of the novel pressurizable seal.

Similarly, Keys, et al., U.S. Patent No. 5,181,341, only discloses a seal in which an intermediate bellows type seal structure is arranged between the mounting portion of the seal

and an outer seal, so as to compensate for differences in the spacing between the bodywork components.

Lee, et al. merely includes a second seal section attached to the gripping member and having an aperture. There is no disclosure of the pressurizable third portion located entirely and separately within the second seal portion.

The remaining references of record, including Bright, all only disclose seal structures which grippingly engage the bodywork of vehicles or different structures and include at least one tubular member contacting the movable doors or leafs of the structure.

None of the foregoing publications in any manner disclose the unique construction and positioning of the pressurizable third section member, which is located within the second section member, and is dimensioned so as not to contact the inner wall surface of the second section member, until such time as the vehicle reaches a high rate of speed, whereupon the third tubular member is pressurized and expanded so as to contact in a reinforcing manner the interior wall structure of the second section member.

The foregoing structure and advantageous configuration has now been clearly defined in the newly presented Claims 9-19, and in view of the foregoing comments and amendments, the early and favorable reconsideration of the application and issuance of the Notice of Allowance by the Examiner is earnestly solicited.

However, in the event that the Examiner has any queries concerning the instantly submitted Amendment, applicant's attorney respectfully requests that he be accorded the courtesy of possibly a telephone conference to discuss any matters in need of attention.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leopold Presser', written over the typed name.

Leopold Presser
Registration No. 19,827
Attorney for Applicant

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343
LP:jy